

House Group Says Lavelle's Raids Were Proper and Essential

WASHINGTON, Dec. 18 (AP)—A House subcommittee says the unauthorized American air strikes ordered by Gen. John D. Lavelle against North Vietnam last winter "were not only proper but essential."

Siding with General Lavelle and against Gen. John D. Ryan, Air Force Chief of Staff, the House Armed Services investigating subcommittee said the United States strikes were justified by a new enemy radar setup that put American pilots in danger of being fired on without warning.

The House subcommittee, in a report released today, called

the 1968 bombing halt in effect at the time that General Lavelle authorized some 28 strikes one of the most "peculiar aspects" of the Vietnam war.

It said President Nixon's resumption of the bombing "appears to have resulted in a significant increase in the earnestness of North Vietnamese peace negotiators."

Chairman F. Edward Hebert, Democrat of Louisiana, said the subcommittee drew no conclusions on whether General Lavelle's air strikes were legal, but both Mr. Hebert and the subcommittee report clearly approved the general's decision to order the strikes.

"Lavelle fought the kind of war I was saying should be fought six years ago," Mr. Hebert said in a telephone interview. "Whether it was legal or not is up to how you read the facts."

Assumption by General

General Ryan told the Hebert subcommittee that he dismissed General Lavelle as commander of the Seventh Air Force in Vietnam because the air strikes were not "protective reaction" permitted in self defense under terms of the bombing halt.

In fact, General Ryan said in testimony released with the report, "they were briefed before the pilots ever took off, to go

and hit a target, whether any reaction came or not."

But Mr. Hebert's subcommittee said the protective-reaction rules established in 1968 "had been overtaken by events" when General Lavelle authorized the strikes between Nov. 7, 1971, and March 9, 1972.

The rules, it said, permitted American pilots to strike enemy SAM antiaircraft sites that fired at them or were "activated against" them by radar. But General Lavelle's firm conviction, the report said, was that with SAM sites tied into North Vietnam's routine surveillance radar network in 1971 "common sense and the law of

survival compelled the assumption that SAM-antiaircraft sites in North Vietnam were always 'activated against' U.S. or allied aircraft."

Mr. Hebert's subcommittee said apparent failure of General Lavelle's superiors "to comprehend the altered tactical situation is one of the principal problems of attempting to direct a war at a distance of 10,000 miles."

General Lavelle held the rank of a full general while commanding the Seventh Air Force. When he was removed from that command he reverted to his permanent rank of major general and asked retirement.